

**MALOOF BROWNE & EAGAN LLC**

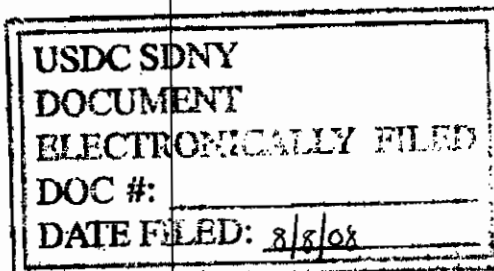
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August 4, 2008

**Via Facsimile – 2 Pages**

Honorable Denny Chin  
United States District Judge  
United States Courthouse  
500 Pearl St., Room 1020  
New York, NY 10007  
Fax: 212-805-7906



Re: *Sompo Japan Insurance, Inc. v. Norfolk Southern Railway Company,  
Norfolk Southern Corp. and The Kansas City Southern Railway Co.*  
Docket No: 07 Civ. 2735 (DC)  
Our Ref: 2503.81

Re: *Sompo Japan Insurance, Inc. v. Yang Ming Marine Transportation*  
Docket No: 07 Civ. 11276 (DC)  
Our Ref: 2503.81

Re: *NipponKoa Insurance Co., Ltd. v. Norfolk Southern Railway Company,  
and The Kansas City Southern Railway Company*  
Docket No: 07 Civ. 10498  
Our Ref: 2309.78

Dear Judge Chin:

We are attorneys for plaintiffs in the three referenced actions involving six separate shipments of cargo which were damaged in a train derailment.

On consent of defendants, we respectfully request a 3-month extension of time to complete discovery from September 19, 2008 to December 19, 2008. Plaintiffs' counsel has been heavily engaged all summer in numerous expert depositions and final pre-trial preparation on a \$30 million cargo theft case, as well as a major maritime trial in Ohio. Moreover, evidence is located overseas in the hands of third parties (where the shipment originated) and obtaining same has taken some time.

There has been one prior 6-week extension.

We thank the Court for its kind consideration.

*fact and expert*  
All discovery shall be complete by Nov. 21, 2008. The PTC is adjourned to that date at 11:30 am. So ORDERED.

8/7/08

*WSDJ*

Respectfully yours,



Thomas M. Eagan

TME/bm

cc: Via Facsimile

Mr. Charles L. Howard, Esq.

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